



THE OTHER LINCOLN

By F. LAURISTON BULLARD

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Baccalaureate Address delivered at
Commencement Exercises closing the Fiftieth
Anniversary of Lincoln Memorial University
Harrogate, Tennessee, June 1, 1941

This original edition, limited to 500 copies, has been published for the friends of Lincoln Memorial University

913.1163
53.8870

Lincoln

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AS A TEXT I have chosen the final sentence of Abraham Lincoln's Cooper Institute Address:

"Let us have faith that *right makes might*, and in that faith let us to the end *dare to do our duty* as we understand it."

With one Abraham Lincoln we all are on familiar terms. We know the young man who earned the name of "Honest Abe" during his seven years in New Salem. We know the Civil War President whom the people called "Father Abraham." The Railsplitter is no stranger to us. We readily picture the frontier lawyer, riding round and round the Eighth Judicial Circuit in his ramshackle buggy, always wearing that tremendous stovepipe hat, which I suppose at some time must have been new. We linger over the contrast between the storyteller who set tavernfulls of men to roaring with laughter, only the next hour to lapse into a spell of melancholy which none of his cronies would venture to disturb. The President whom the Secretary of War used to upbraid for ruining the discipline of the army by pardoning everybody, the debater who held the mighty Douglas level, the orator

who gave the world the Gettysburg Address—this practical politician and prose poet, friendly, farseeing, magnanimous, we all hold in our hearts.

Nevertheless there is another Lincoln, and we shall not know the *real* man until we take due account of that other. That other Lincoln is not *unknown*, but he is not *well* known. I do not remember having seen an article or address devoted to an examination of the facts which justify our claim that there is another whom we must consider if we are to reach an understanding of the entire man. To that other Lincoln I invite your attention today.

There never would have been that other Lincoln had not the prairie lawyer been aroused by a great cause, which, as he said in Independence Hall in 1861, he was "willing to live by, and, if it be the pleasure of Almighty God, to die by." He saw the slavery wedge splitting the Union asunder. He had *always* been opposed to slavery,¹ but he never publicly denounced it until 1854. He had made up his mind that if "slavery is not wrong, nothing is wrong."² In the debate with Douglas he contended that "slavery is a moral, social, political wrong."³ Out of years of silent meditation on the questions fiercely discussed all over the nation the new Lincoln arose, a

¹Letter to Hodges—April 4, 1864.

²*Idem.*

³As at Quincy—Oct. 13, 1858.

Lincoln utterly unlike the man Illinois had known. That Lincoln startled his friends by revealing himself at Peoria as an orator of the highest rank in the first great speech of his life. He there took the position from which he never deviated. There must be no extension of slavery. It must be excluded from the territories of the United States.

During the ensuing four years these convictions deepened. When in 1858 he was nominated for the Senate he prepared an acceptance speech with minute care. The day before the convention he read the speech, sentence by sentence, before a dozen of his intimate associates. Every man there, except Billy Herndon, condemned it as an impolitic statement, ahead of its time. One man considered it a "damned fool utterance."¹ Lincoln stood his ground. No matter what might happen to himself or his party, he would omit not a syllable. Before the convention next day, in defiance of the warnings of his political friends, he read that speech—"A house divided against itself can not stand." Nobody could forget that. On that platform he entered the arena against Douglas.

In 1916, midway of the World War, when Walter Hines Page came home from London to confer with Woodrow Wilson, the Ambassador, after a long interview at Shadow Lawn, told his son that the President was

¹Angle's Herndon—326.

"the loneliest man"¹ he ever had known. The Civil War President was more solitary by far. He mingled more with men and talked with apparent ease with everybody, yet his reticence sometimes seemed even to his official counselors to be an equivalent for counting secretiveness. A year and a half after the firing on Fort Sumter he amazed the nation by a right-about of policy. He wore no halo then. He was a minority President. He had been elected by the North and West, and almost half the voters of those States had repudiated his position on slavery. During all those months of hope and disaster, while the North organized an army only to see it turned back within hearing of the church bells of Richmond, Lincoln kept step with the slow-moving tides and refused to be whirled into premature action by the pleas of well-meaning reformers and idealists or the abuse of zealots and doubters. It has been well said that "if by some sublime necromancy" the slavery question had been settled "the Union would have been saved automatically."² Abraham Lincoln was the loneliest man on the Continent when he decided, after conference with his own reason and conscience only, to issue the Emancipation Proclamation.

On Sunday, July 13, 1862, while riding with the Secretary of State and the Secretary of the Navy, the President informed them that "he had come to the conclusion

¹Hendrick—Life and Letters of Walter Hines Page—2:188.

²Rollo W. Brown—Lonely Americans—p. 297.

that emancipation was a military necessity absolutely essential for the salvation of the Union.”¹ Seward and Welles were altogether unprepared for any such disclosure. On July 22 the inscrutable Executive astounded all the other members of his Cabinet by reading to them his draft of the proposed proclamation. They were “bewildered by the magnitude and boldness of the proposal.”² To Frank Carpenter the President told how he explained to them that “he had not called them together to ask their advice,”³ but to obtain suggestions for the improvement of the form of the document. Seward indicated a point which he had “entirely overlooked.” It would be well to wait for a Union victory lest the proclamation “be viewed as the last measure of an exhausted government.” Accordingly the President put the plan aside for a time. The North had to endure the black disaster of the Second Bull Run. Antietam followed. Lincoln interpreted that battle as a check for Lee if not a clearcut Union victory, and on September 22 he informed the Cabinet that he had “fully decided” that he must keep “the covenant he had made with God”, and accept the outcome of that terrific struggle as an indication of the divine will. Courteously he explained that “without intending any disrespect” for his official advisers, he was willing to accept suggestions only about “minor matters.”⁴

¹Welles' Diary—1:70.

²Nicolay and Hay—6:127.

³Carpenter—Six Months in the White House—20, 21.

⁴Chase-Diary—September 22, 1862.

That momentous decision was made by one man without consultation with any other man. Abraham Lincoln may have seemed in those days "a reed shaken with the wind," but Lowell's estimate was right—"He bent like perfect steel to spring again and thrust."¹ When the time came for the issuance of that final proclamation half the nation wondered if he would fulfill his pledge. Even such a close friend as Orville H. Browning sent an emissary to the White House to reason him out of that "threat", only to learn that the President "was fatally bent upon his course."² And at noon on January 1, 1863, "Fred" Seward walked with his father across to the White House "with the broad parchment in a large portfolio under his arm,"³ and there Abraham Lincoln, "carefully wrote" the "clear, bold, and firm signature" which vitalized the Emancipation Proclamation.

According to John Hay's Diary⁴ the President "was in a singularly defiant tone of mind" during the critical days that preceeded Antietam. Pope's defeated army was retreating; Lee's victorious troops were advancing. Washington was believed to be in peril.⁵ The Department clerks were called to arms.⁶ A new commander for the

¹Lowell-Commemoration Ode.

²Browning-Diary—1:606.

³F. W. Seward-Recollections—p. 227.

⁴Hay's Diary—September 1, 1862.

⁵Rhodes-IV—136.

⁶Official Records-XII, Part 3-807.

discouraged Federal army had to be found without a day's delay. Lincoln himself made the choice. His selection pleased the men in blue, surprised the country, infuriated the Secretary of War, and angered most of the other Cabinet members.

George B. McClellan, who had been made general-in-chief¹ on November 1, 1861, had been gradually reduced in authority until he was left with only a small residue of what had been a great army, all the rest having been sent to General Pope. Lincoln, according to his junior secretary, even thought that McClellan had "behaved badly toward Pope", and "wanted him to be defeated"² at Second Bull Run. Secretary Chase warned the President that he did not regard McClellan as loyal³ to the Administration. He recorded both himself and the Secretary of War as of the belief that McClellan "ought not to be trusted with the command of an army of the Union."⁴ Four Cabinet members signed a protest declaring their "deliberate opinion" that it "is not safe to trust McClellan with any command".⁵

But just 14 days before the Northern and Southern armies came together the President with General Halleck went in person to see McClellan and put the Union

¹General Orders No. 64.

²Hay-Diary—September 1 and 5.

³Chase-Diary—July 22.

⁴Idem—August 29.

⁵Gorham's Stanton—II 40.

troops under his command again.¹ That same day the Cabinet met. The Secretary of War was so excited over the reinstatement of McClellan that after several years the Postmaster General declared Stanton would have "preferred to see the capital fall."² Both the Welles and the Chase diaries record that meeting in some detail, how Chase was sure the appointment would prove to be "a national calamity",³ & ⁴ how distressed the President was over the general opposition of his counselors, and how he stood his ground. Secretary Hay found reason to record in his diary that it was "due in great measure to Lincoln's indomitable will that army movements have been characterized by such energy and celerity the past few days."⁵ The twin sequels were Antietam and Emancipation.

There was at least one very important occasion when the President's course, as James G. Blaine wrote, "met with almost unanimous dissent on the part of the Republican members of Congress and violent opposition from the more radical members of both Houses."⁶ The issue was the method of reconstruction. The President had gone forward quietly with his plans for the return of the Southern States to the Union without punishment.

¹Official Records-XII, Part 3-812; XIX, Part 2-182; McClellan's Own Story-566, 567, 545; Rhodes-IV. 137.

²McClellan's Own Story-545.

³Welles-Diary — ⁴Chase-Diary, Sept. 2, 1862.

⁵Hay's Diary-September 3, 1862.

⁶Blaine-Twenty Years in Congress-2: 43.

Meantime a bill passed both Houses containing a permanent element of penalty. Lincoln's policy was generous and national, theirs was partisan and narrow. He proposed that a minority of qualified voters might take an oath of loyalty and establish a State government which the Federal government would recognize. Their bill prohibited all persons who had held office "civil or military, State or Confederate, under the Rebel usurpation, or who had voluntarily borne arms against the United States"¹ from having any part in the founding of a new State, and from being voting members of the Legislature, or holding the office of Governor.

On the last day of the session the bill came to Lincoln, who, in accordance with customary practice, was in the President's room at the Capitol to deal with last-minute legislation, with Charles Sumner, George F. Boutwell, Zachariah Chandler, and others, hovering about him—and he quietly put the bill in his pocket. Under the Constitution, when Congress by adjournment makes it impossible for the President to return within the ten-days limit a bill which he does not sign, that bill fails. This was the most celebrated pocket-veto, so-called, in our history.

Had Congress been in session there would have been a tremendous row. Lincoln simply declared that he "must

¹Congressional Globe, July 1, 1864—3448, 3449.

keep some standard of principle within himself.”¹ The sponsors of the bill, Ben Wade in the Senate and Henry Winter Davis in the House, soon issued their Manifesto, in which they excoriated the President for this “studied outrage” and advised the people to consider “the remedy for the President’s usurpations,”² meaning of course that they should substitute another man for Abraham Lincoln, who had been nominated for a second term only nine weeks before.

There were limits to the patience of Lincoln. Once on a time he called the editor of the *Chicago Tribune*, none other than Joseph Medill, a coward.³ There is no record that Lincoln indulged copiously in profanity, but he could and did swear on occasion.⁴ He did not often officiate as a White House bouncer, but at least once he did eject a persistent and insulting caller from his office by physical force.⁵ And Helen Nicolay, daughter of his senior secretary, in a book founded on her father’s records, says that “when at long intervals Lincoln’s patience gave way, and he blazed forth in righteous wrath, men quailed before him.”⁶

The Lincoln of popular tradition is subject to modification. In the future more emphasis is bound to be

¹Hay’s Diary—p. 206.

²Full text—Annual Encyclopedia-1864; pp. 307-310.

³Helen Nicolay—Personal Traits of Lincoln—268.

⁴Hay’s Diary—pp. 18, 112.

⁵Carpenter—Six Months in White House—105, 106.

⁶H. Nicolay—Personal Traits—266.

placed on aspects of his character and episodes in his career that have been neglected. We shall never lose the man whose heart was wrung with pity for the suffering caused by the war, nor the President whose clemency saved many lives in spite of the protests of military men. John Hay told of a day when six hours were spent in going over court martial cases, and of his amusement to see "the eagerness with which the President caught at any fact which would justify him in saving the life of a condemned soldier."¹ Yet at almost the same time Lincoln put into a famous letter the statement that "long experience has shown that armies cannot be maintained unless desertion shall be punished by the severe penalty of death."²

The fact is that Lincoln could be, and was, as firm as Andrew Jackson. There was just as much hickory in his composition, but he played the great game differently. An organization which campaigns for the abolition of capital punishment distributed for years a pamphlet, and may use it still, on the outside of which appeared this sentence attributed to Lincoln: "God helping me, I will never sign the death warrant of any man so long as I live." Lincoln never said that. The attribution was made by a former Governor of Illinois at a Governor's Con-

¹Hay's Diary—July 18, 1863.

²To Erastus Corning—June 12, 1863.

ference in Boston in 1915.¹ Neither he, nor the organization which issues the pamphlet, ever has furnished me with the evidence for that quotation.

The War Department in June, 1862, in a General Order, directed that the record in all capital cases be "forwarded for action of the President of the United States", and that no death sentence should be executed without his orders.² One statistician has computed³ that 267 men were executed by the military authorities during the war, and that only a few more than half of these were deserters.⁴ Early in the war a ship was captured on the high seas having on board 900 Congo Negroes. The slave-trader, Nathaniel P. Gordon, was tried and hanged in New York, which was the first execution in our history for that crime under our laws. The President read the evidence. Excellent names appeared on the petition for pardon. The death sentence bears the names of Abraham Lincoln and William H. Seward.⁵ A tragedy in Norfolk, Virginia, in 1863, became a *causes celebre*. Petitions for mercy were showered upon the White House. Lincoln investigated carefully. Word came that the wife of the con-

¹Governor Edward F. Dunne-Pamphlet in Massachusetts State Library—*Boston Herald* shows date to have been August 26, 1915.

²Official Records—II Part 4, p. 49.

³J. T. Dorris—Lincoln's Clemency—*Journal Ill. State Historical Soc.* Jan., 1928 p. 553.

⁴No account is taken here of pardons in civil court cases, reckoned to have been 375 convictions, and about 80 refusals of clemency.

⁵Rhodes IV. 66; Nicolay and Hay 6:99; Facsimile in Sandburg's *War Years* 3:489.

demned man would present an appeal for clemency. The President kept her away. "It would be useless," he wrote, "the subject is a very painful one, but the case is settled."¹

Few of the war histories or Lincoln biographies give any attention to the Indian outbreak in Minnesota in 1862. Without doubt the Sioux had been badly treated for ten years. A spark set the prairies ablaze. The Indians ravaged the frontier for 200 miles and killed nearly 500 persons, carrying away women and children as hostages. Troops were sent. Many scores of Indians were tried by military commission and found guilty of murder, rape, and arson. Mobs threatened a wholesale lynching. All the records were ordered to Washington. Lincoln sent John G. Nicolay to Minnesota. The President decided that those who had fought in battle should be treated as prisoners of war. But 38 of these Indians were hanged by his order on a single scaffold on the day after Christmas in 1862.²

¹Lincoln's Works—Gettysburg Edition—Vol. 9—October 17, 1863.

²Minnesota Historical Bulletin, vol. 1, 1915-1916; Recollections of Captain Potter, pp. 419-521, esp. 467ffg.

Idem—vol. 6—Address by Solon J. Buck, pp. 359ffg.

Minnesota in Three Centuries by Hubbard and Holcombe—1908; vol. 3, p. 408—has picture of the execution.

Lincoln's Message to the Senate—Dec. 11, 1862.

Paxon's History of the Frontier—485-488.

Isaac V. D. Heard—History of Sioux War pp. 251ff.

Bishop Henry B. Whipple—Lights and Shadows of a Long Episcopate; pp. 105ff., 491.

Official Records—Series 1, Vol. 13, pp. 599 (Nicolay's report); 632, 787; index under Sibley.

Photostats in possession of the writer.

Imprisoned in Fort Lafayette in 1865 was a well-born and well-educated Virginian, who had operated as a Confederate naval officer against Northern ships in Chesapeake Bay, then had undertaken the bold enterprise of seizing vessels in Lake Erie for liberating the Confederate prisoners on Johnson's Island, and finally had allowed himself to become mixed up in a train-wrecking scheme near Buffalo. A military commission doomed him to death. Extraordinary exertions were made to save him. A petition signed by 85 Congressmen—57 Democrats, 19 Republicans, and nine others—and six Senators, all Democrats, 91 in all, coming from 20 different States, was carried to the President by a Senator who had been almost a lifelong friend. He refused to intervene, and John Yates Beall was executed.¹

In a speech on August 1, 1862, the famous Abolitionist orator, Wendell Phillips, said: "I asked the lawyers of Illinois, who had practiced law with Mr. Lincoln for 20 years, 'Is he a man of decision, is he a man who can say "No"?' They all said: 'If you had gone to the Illinois bar and selected the man least capable of saying "No", it

¹Official report of the Trial of John Y. Beall—94 pages.

Headley—Confederate Operations in Canada and New York—pp. 231ff.

Official Records—Series 2, Vol. 8—Index under Dix, Dana, Pryor, Beall, etc. Also Series 2, Vol. 6, and Series 1, vol. 43, part 2.

Orville H. Browning's Diary—vol. 2, pp. 7, 8, 19.

Isaac Markens—President Lincoln and the Case of John Y. Beall—pamphlet—Contains the list of the 91 petitioners.

would have been Abraham Lincoln."¹ It would be interesting to know who those lawyers were!

On the morning of December 20, 1860, the day of the secession of South Carolina, there arrived in Springfield² a very tall, angular man, with rugged features and gleaming eyes, who made his way immediately to the two-story frame house at the corner of Eighth and Jackson Streets in which resided the lawyer who had been elected President of the United States six weeks before. He disappeared within that dwelling and did not emerge until late afternoon. A dictaphone might have provided posterity with a record of one of the most important conversations that ever took place on this continent. The visitor was the second member of the old political firm of Seward, Weed, and Greeley, which had been dissolved in 1856 by the retirement of the junior partner. For 30 years Thurlow Weed had been an intimate and wily associate of William H. Seward. He was one of the most adroit practitioners of the fine arts of politics in our history, and his *Albany Evening Journal* was one of the half-dozen most influential newspapers in America.

Seward had been invited 12 days before to become the Premier in Lincoln's Cabinet. He had been Governor of New York and for nearly 12 years a United States

¹Speeches, Lecturers, and Letters by Wendell Phillips; Boston, 1864—p. 459.

²Angle—Lincoln 1854-1861; the Abraham Lincoln Association, Springfield—p. 364.

Senator. He stood before the nation as the real leader of the Republican Party, in spite of his defeat for the Presidency by a relatively unknown man from the West. He expected to manipulate his official superior and to control the administration. During the months between the election of Lincoln and his inauguration many notable individuals and formidable groups were striving with frenzied haste to work out a formula for a compromise that might avert war. Seward habitually consulted the shrewd and sagacious Albany editor on questions of party strategy and national policy, and Thurlow Weed has been pronounced "the most eminent exponent of compromises" in that transition period.

No man in Washington was more respected at that time than Senator John J. Crittenden of Kentucky. He had been a Senator at four different periods covering in all 24 years. He had been Governor of his State and twice Attorney General of the United States. Now at the age of 73 he essayed to play the role of Henry Clay. It was his honorable ambition to render his country a service that should make his name forever illustrious. He came forward with what is known as the Crittenden Compromise. Stated somewhat inadequately, but essentially in his own words, he proposed that the old Missouri Compromise line of 36 degrees and 30 minutes should be restored, that slavery should be prohibited in national territory north of that line but should have Federal pro-

tection south of the line, and that States should be admitted either north or south, with or without slavery, as their constitutions might provide. That was the vital article. None of the others would have any value without it. Among the other provisions, Congress was to have no power to abolish slavery in the District of Columbia without the consent of the surrounding States of Virginia and Maryland, nor to hinder the transportation of slaves between slave-holding States and the territories. Also, the Fugitive Slave Law must be rigorously enforced. Finally, once ratified, these articles were to be added as amendments to the Constitution, and no amendment was ever to be adopted which would endow Congress with power to interfere with slavery in any of the States.¹

On the day that Senator Crittenden offered his compromise a Committee of Thirteen was named in the Senate and a Committee of Thirty-three in the House to which the plan should be referred. The Senate Committee was a remarkably well-balanced group. Three members, including Crittenden, came from the border States; Jefferson Davis and Robert Toombs represented the Cotton States; there were three northern Democrats, including Stephen A. Douglas; and five Republicans, including Seward. The House Committee was headed by Thomas Corwin of Ohio, and its outstanding member was Charles Francis Adams.

¹Congressional Globe—36th Congress, 2nd Session—page 114.
Rhodes—History—3:37, 38.

In this situation the responsibility of the Senator from New York, as the leading member of the party about to take possession of the government, and as the next Secretary of State, was enormous. And Seward was more than a little in doubt. That he wavered is indicated in more than one of his letters. Now what did he do? On Friday, December 14, he left Washington for Albany. During the ensuing two days he was in consultation with Weed. On Sunday, December 16, he wrote to Lincoln, saying that "Mr. Weed, finding it not inconvenient to go West . . . he will be able to inform you of my present unsettled view of the subject about which you wrote me . . . I shall remain at home until his return . . ."¹ On the next evening the *Evening Journal* ran a long and able editorial² which practically endorsed the Crittenden Compromise. Seward stayed three days at his home in Auburn, and then joined the returning Weed³ for a train ride to Albany. And in the Committee of Thirteen Seward's vote was recorded against the Compromise, which was defeated by a single vote, seven to six.⁴

The background is not yet quite complete. It must be remembered that the platform on which Lincoln had been elected denounced all extension of slavery into the terri-

¹Frederick W. Seward—Seward at Washington, 1846-1861—p. 482.

²Frederic Bancroft—Life of William H. Seward—2:28.

³Nicolay and Hay—3:262.

⁴Rhodes—History 3:41.

tories, and that both factions of the Democratic Party in 1860 had declared for the acquisition of Cuba which would surely have become a slave territory.¹ Both the Douglas and the anti-Douglas wings of the Democracy stood for slavery expansion, and among the idealistic expansionists of the North the foremost was William H. Seward. On the steps of the capitol of the new State of Minnesota in September he had spreadeagled about all Canada and Russian America and all the Spanish-American Republics becoming self-governing members of the United States.²

Abraham Lincoln, remaining quietly at home and maintaining a sphynxlike silence, in several private letters to members of the national legislature in mid-December, had declared himself absolutely against any extension of slavery, and he expected the friends who received those letters to use their discretion in making his views known. There must be "no compromise" on slavery extension. They must be as "firm as a chain of steel" on that principle. "The tug has to come and better now than any time hereafter."³ The defeat of the Crittenden Compromise is to be attributed to the Republican leaders in Congress.

¹Stanwood—History of the Presidency 1:284, 287.

²Frederick W. Seward—Seward at Washington, 1846-1861—p. 464.

Carl Russell Fish—The American Civil War—p. 73.

³Lincoln to Kellog, Dec. 11, 1860; to Washburne, Dec. 13; to Trumbull, Dec. 10.

Can we doubt what happened that day in the house in Springfield? Abraham Lincoln rejected the Compromise. For six long years he had been wrestling with that problem. He had discussed its every phase in speeches and public debates. He had been fairly elected under the Constitution on a platform against slavery expansion, and his election amounted to a compact with the people which he could not welsh. The man who was his guest that day represented numberless men who had been as many years as Lincoln had been months in public life. Thurlow Weed stood for the leaders of his party in Washington and in the Empire State.

And Abraham Lincoln said "No"! When Mr. Weed left Springfield he carried with him a written statement¹ of certain of Lincoln's views. That was the first great decision of Abraham Lincoln as a national figure. He represented that day not a State but for the first time the United States. No weakling, no pliant changeling, made that decision. The man whom half the nation regarded more as a storyteller than as a statesman by that one action in the seclusion of his home profoundly affected the destiny of his country. He may not have expected war but he did take the chance that war might come. The utmost that any historian has said is that the adoption of the Compromise might have prevented war in 1861;²

¹Nicolay and Hay—3:262, 263.

²For example—Rhodes—History—3:42.

none says that it would have prevented war altogether.

When that inscrutable man, who published no statements and made no speeches, stood before a vast multitude to deliver his first inaugural to the whole nation, South and North, hung on his words with supreme anxiety. During the following six weeks he was watched with doubt by most, and with contempt by many who thought of him as only "a simple Susan" and utterly incompetent for the crisis that impended. Within a week after the fall of Fort Sumter the public, both North and South, discovered a new and unknown Lincoln, a man of action who lost not an hour in affirming his intention to prevent the disruption of the Union. He had been patient, cautious, conciliatory. With the firing on the flag all apparent hesitation disappeared overnight.

Between Sunday, April 14, when Sumter fell, and July 4, 1861, when Congress met, Abraham Lincoln was the sole and entire government of the United States. In those intervening weeks, while the sections were getting ready for war, that enigmatic man with his odd ways did in fact wield the powers of a dictator. No such astonishing assumption of authority ever had occurred in our history. On Sunday, April 21, at a meeting in the Navy Building, where¹ they could confer in seclusion, the President posed before his Cabinet the choice that must be made between literal conformity with the Constitution

¹Richardson—Messages and Papers of the Presidents—VI. 78.

and the laws ordained by Congress and the use of unauthorized methods in what he conceived to be the spirit of the Constitution for the saving of the Union, with the expectation that Congress later would sanction what they did. One way they would take the greater risk of ruin in order to stay within the prescribed limits of action; the other way they would adopt every available means for preventing the division of the Union created by the Constitution and seek a future validation of their acts. The Cabinet unanimously endorsed the latter course.

The President called Congress to meet in special session, not immediately but eleven weeks after the surrender of Sumter. Why did he not assemble Congress sooner? The materials are not attainable for a conclusive answer to that question, but a reasonable guess may be submitted. An unparalleled emergency required swift decision, not debate. In the years preceding Sumter, Congress had struggled with the problems of secession and revealed itself to be an unwieldy body of able men of varied views, who could agree only on a do-nothing policy. Since the election in November the President-elect must have taken time to study the composition of the new Congress. In the session that ended on March 3 the Democrats had solid delegations in both Houses from 13 States, 10 of which were in the South. In the session called by Lincoln the Democrats had no solid delegation from any State.¹ When

¹Biographical Directory of Congress.

that Congress was called to order under the unfinished dome of the Capitol the only man from a seceding State to answer the roll call was Andrew Johnson of Tennessee.¹ How the new members might vote on momentous measures could only be surmised. Furthermore the President never forgot the vital decision which the border States must make. Would Kentucky and Maryland join the new Confederacy or adhere to the old Union? Lincoln would avoid any act that might offend them. They had not yet elected their Congressmen. It was altogether desirable that those States should be represented. In fact those States did move back their election dates from August to June for the express purpose of being represented,² and on the opening day eight of Kentucky's nine members were present and all of Maryland's five members.³

Now what did the "Dictator" do? He called for 75,000 men, invoking an Act which dated back to 1795, the only law in existence which he could use. Two days before the conference in the Navy Building he proclaimed a blockade. He issued a series of orders for the buying of ships and the transportation of troops, and he directed the Treasury to advance without security \$2,000,000 of public funds to three men whom he named, to be used by them in their own discretion for necessary measures of defense. The President admitted that this order was

¹Congressional Globe—37th Cong., 1st Session, pp. 1, 2.

²Carl Russell Fish—The American Civil War—pp. 304, 305.

³Congressional Globe supra.

without any authority of law. At that time Washington was so completely cut off from the North that the President's messengers had to travel to New York by way of Pittsburgh. On May 3, the President by proclamation ordered an increase of 23,000 in the regular army and of 18,000 in the naval service. And, what caused more clamor than all these other measures, Lincoln ordered the suspension of the writ of habeas corpus.¹

And what did Congress do? In his message at the opening of the special session the President held that the fate of "free government upon the earth" was at stake, that he must defend the government or surrender its existence.² But Congress did not then, nor ever, validate all these orders. There was so much bickering that Senator Henry Wilson blandly said that "if we introduced the Lord's Prayer here there would be a large number of amendments proposed." A blockade is a war measure. That proclamation was denounced in many places as an arbitrary defiance of international law. Jefferson Davis instantly seized on it as equivalent to the recognition of the belligerent rights and the independence of the Confederacy.

¹For this paragraph: Messages and Paper of the Presidents—VI. 13-20, 77-79; Official Records, Series III, Volume 1, p. 136; A. Howard Meneely—The War Department, 1861—pp. 61, 119; Frederick W. Seward—Seward at Washington, 1864-1861—pp. 551, 552; Rhodes Volume 3 and Nicolay and Hay Volume 3, *in loc.*

²Richardson *supra*—p. 23. Congressional Globe, 37th Cong., 1st Sess. p. 82.

Yet President Lincoln always insisted that he was not waging war but subduing an insurrection. Only Congress had power to declare war. Not until 1863 did the general public realize the risk he ran in issuing the proclamation of blockade, when after 12 days of argument by nine eminent lawyers the Supreme Court decided in his favor by a 5-to-4 decision, and the justice who gave the Administration its victory, it is interesting to notice, was derived from the then Confederate State of Georgia.¹ Not until the last day of the session did Congress validate what the Executive had done "respecting the army and navy." There was nothing at all about the unauthorized spending of public funds. Nor until 1863 did Congress provide the President with legislative authority "during the rebellion" to use his judgment as to habeas corpus, and the Supreme Court never yet has passed on the question whether a President without an Act of Congress can lawfully suspend the writ.

No doubt about it, the lines on which the Civil War was fought were laid down before Congress had a chance to cooperate with the President. Abraham Lincoln was the most benevolent autocrat the world ever knew, but for those 81 days at least he and he alone was the govern-

¹Re the Blockade: The Record in the Prize Cases, 2 Black 635; Charles Warren—the Supreme Court in United States History—2:380-386; Charles F. Adams—Richard H. Dana—2:266, 267; John M. Zane—Lincoln, Constitutional Lawyer—Lincoln Association papers, 1932; pp. 84, 87; James R. Soley—The Blockade and the Cruisers—pp. 28, 29.

ment of the United States, and to that extent he was a "dictator". Did he save the Union in those eleven weeks? Opinions may differ, but we may cite the reply of Marshall Joffre when he was asked who won the Battle of the Marne. He did not know—but he *did* know who would have borne the blame had the battle been lost.

The more we study Abraham Lincoln the more clearly do we see that the much abused word "unique" may fairly be applied to him. Numberless as are the demands for moulds in her workshop Nature never has cast another man like him. Robert G. Ingersoll characterized him as a bundle of paradoxes, a "strange mingling of mirth and tears, of the tragic and grotesque, of cap and crown, of Socrates and Democritus, of Aesop and Marcus Aurelius, of all that is gentle and just, humorous and honest, merciful, wise, laughable, lovable and divine . . ." ¹ Neither that, nor any other characterization is complete. We must fuse the traditional Lincoln and "the other Lincoln" and then we shall have the whole man.

No American politician ever has surpassed him in the ability to manage men and to interpret public opinion. His understanding of the motives of friends and foes alike was due to his magnanimity, to his charity for all, whatever their views. He hated nobody. Had he not believed in the rightness of his cause he never could have endured those four years in Washington. Nobody else suffered as

¹Robert G. Ingersoll—Abraham Lincoln—p. 82.

did he. Yet his sympathies never betrayed him into sentimentality, nor did his magnanimity prevent him from rallying all the resources he could control for winning the greatest civil war in modern history. In the "faith that right makes might" he dared to the end to do his duty as he understood it.

Human experience hardly contains such another example of a man invested with vast powers who never abused them. On the day he became commander-in-chief of the army and navy of the United States he stood at the cross-roads of destiny for many millions of people, and, as he conceived, of the future of democracy in the world. Through those weeks between his taking the oath of office and the booming of the cannon in Charleston harbor, while he awaited the issue of war or peace and could not be sure of his mastery even of his own Cabinet, the intensity of his psychological experience must have been beyond our comprehension. He told Browning "that all the troubles and anxieties of his life and not equalled"¹ what then he felt. He was sustained throughout those weeks by the conviction that he was doing right, and for the following four years, as an English observer has said, by "his moral character and his trust in Providence."² In those years he became a profoundly religious man. Nearly a half-century ago the then President of Cornell Univer-

¹Browning's *Diary*—Vol. 1, p. 476.

²Goldwin Smith—*The United States; An Outline of Political History*—p. 250.

sity, Jacob Gould Schurman, stated: "I wish to say deliberately, after reading many lives of Lincoln and trying to understand the history of the Civil War, that in my opinion the Union could not have been restored without the unseen, but none the less real, power which came to the nation through Lincoln's belief in God and confidence in His moral government of the world."¹ About 15 years ago the then American minister to China, Jacob Gould Schurman, told my son that he had not changed his mind. In the Fourth Gospel we read: "There was a man sent from God whose name was John." I know of no other explanation: "There was a man sent from God whose name was Abraham Lincoln."

¹Jacob Gould Schurman—Agnosticism and Religion—p. 78.

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